

GROUP I: SCHOOL LAW - A REALISTIC LOOK

Chairman: Dr. N. A. Miller, Principal
Watauga High School, Boone, North Carolina

Presenter: The Honorable Robert B. Morgan
Attorney General of North Carolina

Reactors: Mr. W. E. Estes, Principal
Valley Springs Elementary School, Skyland, North Carolina

Mr. J. W. Martin, Principal
Ashbrook High School
Gastonia, North Carolina

Recorder: Miss Ruth Minick, Principal
Rockford-South Main School
Mount Airy, North Carolina

NORTH CAROLINA
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Referred to *Legg*
Answered by *MT*

Honorable Robert B. Morgan:

- I. Rights of school principal clearly defined
- A. Principal to act when pupil action interferes with the orderly operation of school
 - B. Only requirement of principal in decision making that he act with (1) fairness and (2) reasonable intent
- II. School problems confronting office of Attorney General
- A. Expression of regret that schools in past decade have had to be concerned with law rather than with education. Outlook of next decade, especially in regard to pupil assignment, not hopeful.
 - B. Decisions in areas of discipline
 - 1. Problems well defined in light of numerous past court decisions
 - 2. Principal urged to act swiftly and decisively in times of trouble
 - 3. Decisions of school principal, such as that pertaining to school dress, based upon question as to whether pupil action interferes with orderly operation of school.
 - a. Contrary to impressions from news releases, principal upheld when pupil action interfered with normal operation of school; reversed when it did not.
 - b. Principals admonished to base decisions not upon personal ideas but upon basis of the orderly operation of schools
- III. Liability of principal in decision making
- A. Decision legal and principal not liable for damages when action is made in good faith. Better to act decisively than not to act when trouble threatens.
 - B. Suggestions for dismissal of teachers
 - 1. Court gradually reading tenure into law. Interpretation changing as to thirty day notice. No set statute of law.
 - 2. Keeping accusations out in the open and fairness in dealing important.
 - 3. Substantial grounds backed up by written records begun early. Term "incompetency" nebulous. Memories unreliable; reluctance of parents to become involved.
 - 4. Conference with teacher advised in which accusations discussed with written copy given to teacher

South main Street School
Mount Airy, NC 27030

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